

Historic, archived document

Do not assume content reflects current scientific knowledge, policies, or practices.

LEGISLATIVE HISTORY

Public Law 87-521
S. 3062

TABLE OF CONTENTS

Index and summary of S. 3062	.1
Digest of Public Law 87-521.	.2

INDEX AND SUMMARY OF S. 3062

Mar. 23, 1962	Sen. Young, N. Dak., introduced S. 3062 which was referred to the Senate Agriculture and Forestry Committee.
June 6, 1962	Senate committee voted to report (but did not actually report) S. 3062.
June 7, 1962	Senate committee reported S. 3062 without amendment. S. Report No. 1566. Print of bill and report.
June 14, 1962	Senate passed S. 3062 without amendment.
June 15, 1962	S. 3062 was referred to the House Agriculture Committee. Print of bill as referred.
June 28, 1962	House committee reported S. 3062 without amendment. H. Report No. 1961. Print of bill and report.
June 30, 1962	House passed S. 3062 without amendment.
July 3, 1962	Approved: Public Law 87-521.

DIGEST OF PUBLIC LAW 87-521

HARVESTING HAY ON SOIL BANK LANDS. Amends the Soil Bank Act so as to make permanent the authority of the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage, after certification by the Governor of the State in which such acreage is situated of the need for harvesting the hay, in order to alleviate hardship caused by severe drought, flood, or other natural disaster.

87TH CONGRESS
2^D SESSION

S. 3062

IN THE SENATE OF THE UNITED STATES

MARCH 23 (legislative day, MARCH 14), 1962

Mr. YOUNG of North Dakota (for himself and Mr. BURDICK) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 107 (a) (3) of the Soil Bank Act is amended
4 by changing the period at the end thereof to a comma and
5 adding the following: "and except that the Secretary may,
6 with the approval of the contract signers, permit hay to be
7 removed from such acreage if the Secretary, after certifica-
8 tion by the Governor of the State in which such acreage is
9 situated of the need for removal of hay from such acreage,
10 determines that it is necessary to permit removal of hay from

A BILL

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

By Mr. YOUNG of North Dakota and Mr.
BURDICK

MARCH 23 (legislative day, MARCH 14), 1962
Read twice and referred to the Committee on
Agriculture and Forestry

1 such acreage in order to alleviate damage, hardship, or
2 suffering caused by severe drought, flood, or other natural
3 disaster.”

June 6, 1962 No 91

Agreed to a unanimous consent agreement limiting debate on any amendment to two hours and limiting debate on final passage of the bill to four hours. pp. 9125-6

Sens. Gruening, Hickenlooper, Cotton, Cooper, and Capehart submitted amendments intended to be proposed to this bill. p. 9107

Sen. Pell inserted a chart on U. S. economic assistance to Latin America showing obligations and loan authorizations from July 1, 1961, to April 30, 1962. pp. 9114-5

13. THE AGRICULTURE AND FORESTRY COMMITTEE voted to report (but did not actually report) the following bills: pp. D437-8

~~H. R. 8434, to authorize the Secretary of Agriculture to sell and convey a parcel of forest land to the city of Mount Shasta, Calif.~~

~~H. R. 9736, to permit States which have been cooperating with the Federal Government in the production of forest tree seedlings for planting on conservation reserve land to continue to use for related programs the facilities, equipment, etc., provided cooperatively by the Federal Government for the production of such seedlings.~~

~~S. 3064, with amendment, to authorize additional appropriations annually to keep the national survey of forest resources current.~~

~~H. R. 10374, to amend Sec. 6 of the Agricultural Marketing Act of 1929 so as to reduce the revolving fund available for subscriptions to capital stock of the banks for cooperatives.~~

~~H. R. 4083, to reduce the frequency of reports required of the Veterans' Administration on the use of surplus dairy products.~~

S. 3062, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage to alleviate hardship from natural disaster.

H. R. 4939, to provide for the conveyance by the Farmers Home Administration of all right, title, and interest of the U. S. in a tract of land in Jasper County, Ga., to the Jasper County Board of Education.

H. R. 7866, to extend the Poultry Products Inspection Act to Puerto Rico and the Virgin Islands.

H. R. 8050, to prohibit the importation of all honeybees of the genus Apis in the adult stage except for research purposes by this Department as the Secretary shall determine.

14. SOVIET AGRICULTURE. Sen. Hruska inserted a condensation of an analysis prepared in this Department on the problems of Soviet Agriculture. pp. 9112-3

15. FORESTRY. Sen. Gruening discussed problems of the lumber industry in Alaska, urged relief for the industry pending completion of a study of the problem, and inserted a telegram he received from the president of the Alaska Lumbermen's Association on the matter. pp. 9129-30

16. NATIONAL PARKS. Sen. Moss urged adoption of a policy of multiple use management for the national parks, stating that he was convinced "that only when we permit limited secondary use of the lands within the national parks and seashores ... can we expand our park system to the extent necessary to meet our growing needs for outdoor recreation." Sens. Metcalf and Yarborough commended his statement. pp. 9130-2

17. EXPORT CONTROL. Received from Commerce the quarterly report on export control. p. 9102.

18. APPROPRIATIONS. Sen. Williams, Del., for himself and Sen. Lausche, submitted an amendment intended to be proposed to H. R. 10802, the Department of the Interior and related agencies appropriation bill for 1963. p. 9107
19. WATER RESOURCES. Received from the Corps of Engineers, Department of the Army, a report on the Chowchilla River Basin, Calif. p. 9107

ITEMS IN APPENDIX

20. TRANSPORTATION. Extension of remarks of Rep. Van Zandt inserting an article, "Washington Reports -- J. F. K.'s Transportation Proposals Meet Rail Approval." pp. A4149-50
Extension of remarks of Rep. Van Zandt inserting his article, "A Call For United Rail Action." pp. A4164-5
21. ELECTRIFICATION. Extension of remarks of Sen. Hruska inserting several prize-winning essays on the value of rural electrification. pp. A4153-4
22. AUTOMATION. Extension of remarks of Rep. Brademas inserting a report of the 21st American Assembly, "The Challenge and the Promise of Technology." pp. A4162-4
23. WILDERNESS. Extension of remarks of Rep. Saylor urging the passage of the proposed Wilderness Act and inserting an article, "Outdoor Recreation Review." pp. 4132-4
24. CONSERVATION; RESEARCH. Extension of remarks of Rep. Thomson, Wis., inserting a resolution of the Wisconsin Association of Soil and Water Conservation District Supervisors supporting soil and water conservation research programs. p. A4137
25. FARM PROGRAM. Extension of remarks of Rep. Goodling criticizing the decrease in family farms and inserting an article criticizing the farm program, "Our Agricultural Failure." p. A4138
26. SURPLUS COMMODITIES. Extension of remarks of Rep. Kelly commending and summarizing briefly the main provisions of Public Law 480 and the extent of the food-for-peace programs. pp. A4147-9

BILLS INTRODUCED

27. PERSONNEL. H. R. 12033, by Rep. Mellow, to amend the Civil Service Retirement Act to provide for the adjustment of inequities; to Post Office and Civil Service Committee.
H. R. 12040, by Rep. Murray, to define the term "child" for lump-sum payment purposes under the Civil Service Retirement Act; to Post Office and Civil Service Committee.
28. SUGAR. H. R. 12034, by Rep. Nelsen, to amend section 408 of the Sugar Act of 1948, as amended; to Agriculture Committee.
29. FORESTS. S. 3379, by Sen. Williams, Del., relating to mining claims on lands within the national forests; to Interior and Insular Affairs Committee.
Remarks of author. pp. 9104-5

Daily Digest

HIGHLIGHTS

Senate worked on foreign aid bill, adopting amendment to bar aid to Communist countries, and agreeing to limit further debate in bill's consideration.

House passed bills amending School Lunch Act and extending certain tax rates.

House committee granted a rule on the general farm bill.

Senate

Chamber Action

Routine Proceedings, pages 9101-9117

Bills Introduced: Eight bills and three resolutions were introduced, as follows: S. 3373-3380; S.J. Res. 195-196; and S. Con. Res. 76.

Page 9103

Bills Reported: Reports were made as follows:

S. 3377, private bill (S. Rept. 1543);

S. Con. Res. 76, private resolution (S. Rept. 1544);

S. 2614, 2686, 2692, 2699, 2837, 2862, 2872, 2455, 2855, 2999, 2711, 2904, 2994, H.R. 6330, 4655, 3714, 3633, 3595, 2833, and 10502, private bills (S. Repts. 1545-1564); and

S. 3025, authorizing the Texas & Pacific Railway Co. to require securities or stock of or property from any other carriers (S. Rept. 1565).

Pages 9102-9103

Bills Referred: Twenty-three House-passed bills were referred to appropriate committees.

Page 9101

Printing: Report dated January 17, 1962, from the Chief of Engineers, Department of the Army, on review of reports on the Chowchilla River Basin, Calif., was ordered to be printed as Senate Document 98.

Page 9107

Foreign Aid: Senate worked on S. 2996, proposed Foreign Assistance Act of 1962, reaching unanimous-consent agreement to limit further debate to 2 hours on each amendment, motion, or appeal (except motion to table), equally divided, and 4 hours on the bill, equally divided, with no nongermane amendments to be received.

Amendments to the bill were acted on as follows:

Adopted: Proxmire amendment to suspend aid to Yugoslavia, as amended by adoption, 57 yeas to 24 nays, of modified Lausche substitute amendment to bar aid to any country known to be dominated by communism or Marxism (motion to reconsider tabled); Javits amendment directed against certain discriminations against American Jews in communications and travel

(motion to reconsider tabled); Church amendment providing for orderly termination of military assistance to countries whose economy can maintain their own military forces; and Sparkman amendment respecting guarantee of investments in housing projects in underdeveloped countries; and

Rejected: By 39 yeas to 42 nays (motion to reconsider tabled), Gruening amendment providing that no grant or loan shall be made to any country for highway reconstruction or maintenance when U.S. funds were used for its construction.

Pages 9117, 9121-9127, 9132-9155

Confirmations: Four civilian nominations were confirmed.

Page 9155

Record Votes: Two record votes were taken today.

Pages 9142, 9149

Program for Thursday: Senate met at 11 a.m. and adjourned at 6:10 p.m. until noon Thursday, June 7, when it will continue, under debate limitation agreement, on S. 2996, foreign aid.

Page 9155

Committee Meetings

(Committees not listed did not meet)

COMMITTEE BUSINESS

Committee on Agriculture and Forestry: Committee, in executive session, ordered favorably reported the following bills: ~~H.R. 5456, a private bill; H.R. 8434, authorizing the sale of 4.5 acres of land to the city of Mount Shasta, Calif.; H.R. 9736, authorizing the Secretary of Agriculture to permit the continued use by States of certain land for production of tree planting stock; S. 3064, to remove the limitation of \$1.5 million for annual appropriations to maintain the national survey of forest resources (amended); H.R. 10374, to reduce the revolving fund available for subscription to capital stock of the banks for cooperatives; H.R. 4083, to reduce the frequency of reports required by the VA on the use of sur-~~

plus dairy products; S. 3062, to permit hay harvests from conservation reserve acreage to alleviate hardship from natural disaster; H.R. 4939, to convey certain reversionary rights to Jasper County, Ga.; H.R. 7866, to extend the application of the Poultry Products Inspection Act to Puerto Rico and the Virgin Islands; and H.R. 8050, to permit the Department of Agriculture to import adult honey bees for experimental purposes.

Committee also approved the following 17 watershed projects: Puukapu, Hawaii; Scattering Fork, Ill.; Little Kentucky River, Ky.; San Gabriel River, Calif.; Indian Wash, Colo.; Rocky Comfort Creek, Ga.; South Fork of Blackwater River, Mo.; Mulberry Creek, Tenn.; Escondido Creek, Calif.; Upper Quaboag River, Mass.; Gering Valley, Nebr.; Gum Neck, N.C.; Wagon Creek, Okla.; Pine Creek, Tenn.; Leon River, Tex.; Saltlick Creek, W. Va.; and Napa River, Calif.

MILITARY CONSTRUCTION AUTHORIZATIONS

Committee on Armed Services: The Military Construction Subcommittee met in executive session to mark up S. 2841, fiscal 1963 authorizations for military construction, but did not conclude action thereon, and will meet again tomorrow.

STOCKPILING

Committee on Armed Services: Subcommittee on the National Stockpile resumed its hearings on the cancellation of a stockpiling contract with the Climax Molybdenum Co., with testimony from Arthur H. Bunker and Weston Thomas, of New York, formerly this company's president and vice president, respectively.

Subcommittee recessed subject to call of the Chair.

DEFENSE PRODUCTION ACT

Committee on Banking and Currency: Committee continued its hearings on S. 3203, to extend for 2 years the Defense Production Act of 1950, receiving testimony from Charles Kendall, General Counsel, Office of Emergency Planning; Louis Brooks, Office of Financial Management, and George K. Casto, Defense Materials Service, both of the GSA; James M. Davis, who was accompanied by Carl Rolle, both of the Department of Defense; A. A. Bertsch, Deputy Administrator, Business and Defense Services Administration, Department of Commerce; and William Lamont and James Coyle, both of the Antitrust Division, Department of Justice.

• Hearings were recessed subject to call.

MOTOR CARRIERS

Committee on Commerce: Subcommittee on Surface Transportation, in executive session, approved for full committee consideration with amendments S. 2560, to require that all States conform their regulations of interstate motor carriers with the uniform standards of the ICC within 5 years.

D.C. MATTERS

Committee on the District of Columbia: Subcommittee on Business and Commerce held hearings on the following bills:

S. 3350, relating to the extension of the time during which appropriations may be made for the D.C. Hospital Center, with testimony from Charles S. Dewey and Richard M. Loughery, both of the Washington Hospital Center; and Tom Moyer, Assistant Corporation Counsel, D.C.;

S. 3359, authorizing D.C. Commissioners to lease certain public space near 10th Street SW., for public parking, with testimony from Tom Moyer; William D. Heath, Motor Vehicle Parking Agency, D.C.; and Gordon E. Howard, D.C. Redevelopment Land Agency;

S. 2977, to exclude certain group life insurance from certain standard provisions, with testimony from David L. Kreeger, representing Government Employees Life Insurance Co., Acacia Mutual Life Insurance Co., Equitable Life Insurance Co., Peoples Life Insurance Co., and United Services Life Insurance Co.; Maximilian Wallach, Department of Insurance, D.C.; and Tom Moyer; and

S. 3063, to incorporate the Metropolitan Police Relief Association of the D.C., with testimony from Clarence Lutz, Metropolitan Police Relief Association; Milton Korman, Office of the Corporation Counsel, D.C.; Maximilian Wallach; Robert J. Meyers, a D.C. citizen; and Inspector Thomas V. Slominski, retired.

PUBLIC WELFARE AMENDMENTS

Committee on Finance: Committee met in executive session to consider H.R. 10606, to extend and improve the public assistance and child welfare services programs of the Social Security Act, but made no announcements, and will meet again tomorrow.

INDIA, AND NOMINATION

Committee on Foreign Relations: Committee met in executive session to hear Ambassador J. Kenneth Galbraith review the current situation in India.

Committee also heard William Battle testify in behalf of his nomination to be Ambassador to Australia. Also testifying in behalf of the nominee was Senator Robertson. This nomination was subsequently approved for reporting to the Senate.

COMMITTEE BUSINESS

Committee on the Judiciary: Committee, in executive session, ordered favorably reported the nomination of Luke C. Moore, to be U.S. marshal for the District of Columbia; S. 3025, authorizing the Texas & Pacific Railway Co. to require securities or stock of, or property from any other carriers; 21 private immigration bills (S. 2455, 2614, 2686, 2692, 2699, 2711, 2837, 2855, 2862,

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued June 8, 1962
For actions of June 7, 1962
87th-2nd, No. 92

CONTENT

Adjournment.....23	Electrification.....10	Food shipment.....1
Appropriations.....15	Expenditures.....7	Foreign aid.....1,18
Assistant Secretary.....8	Export control.....3	Foreign trade....3,5,17,24
Atomic energy.....14	Farm labor.....27	Forestry.....2
Civil defense.....22	Farm loans.....28	Hay.....2
Conservation.....6	Farm program.....16	Health.....21
Contracts.....19	Flood insurance.....31	Honeybees.....2
Cooperatives.....2	Food and fiber.....29	Land.....2
Dairy products.....2	Food distribution.....9	Legislative program....15
		Marketing.....30
		Milk.....30
		Personnel.....7,19
		Poultry inspection.....2
		Public debt.....20
		Reclamation.....4,25
		Research.....11
		Roads.....12
		Soil bank.....2
		Soil stewardship.....13
		Surplus commodities.....4
		Textiles.....17,26

HIGHLIGHTS: House Rules Committee cleared farm bill. Senate passed foreign aid bill with amendment on Public Law 480 shipments. House committee reported foreign aid bill. Conferees agreed to file report on bill for agricultural import restrictions on nonparticipating countries in multilateral trade agreements. Senate committee reported bills to permit harvesting of hay on certain Soil Bank lands, increase authorization for forest survey, etc. Sen. Proxmire criticized a reclamation project in view of farm surplus. Rep. Findley criticized farm bill. Sen. Humphrey introduced bill to increase limitation on certain FHA insured loans. Sen. Humphrey introduced bill to establish commission to study food and fiber requirements.

SENATE

1. FOREIGN AID. Passed, 61-23, with amendments S. 2996, the foreign aid authorization bill. pp. 9179-221

Agreed to the following amendments:

By Sens. Mansfield and Dirksen, modified, by a 56-34 vote, providing that the bar against aid to Communist-dominated countries shall not be deemed to prohibit shipment of foods thereto under Public Law 480 if (1) recipient country is not participating directly or indirectly in any program for Communist world conquest, (2) recipient country is not controlled by any country promoting Communist world conquest, (3) furnishing such aid is in the interest of U. S. national security, and (4) the President notifies Congress of intention to furnish such assistance. pp. 9180-96

By Sen. Hickenlooper, to bar aid to any country which has expropriated American

property without compensation since Jan. 1, 1962. pp. 9204-7

By Sen. Hickenlooper, providing that there may be no waiver of the antiexpropriation provisions of the bill. p. 9207

By Sen. Cooper, expressing the sense of Congress that advisory committees appointed by the President should review U. S. aid programs and foreign developments. pp. 9207-8, 9209-10

By Sen. Cooper, expressing the sense of Congress that the President should invite friendly nations and the World Bank to join in missions to consult on economic development with recipient countries. pp. 9208-10

By Sen. Keating, modified, providing for priorities among countries so that preference would be given to those friendly to the U. S. and who do not receive Communist arms. pp. 9210-12

By Sen. Javits, to make clear that the authorization of the New York World's Fair will be preserved. pp. 9212-3

By Sen. Javits, directing AID to provide financial and administrative assistance to the Commerce Committee for Alliance for Progress. pp. 9213-14

By Sen. Javits, to increase by \$15 million the ceiling for guarantee loans at the President's discretion. p. 9214

By Sen. Humphrey, barring aid to any country refusing to pay indebtedness to U.S. citizens through its government or instrumentalities thereof. pp. 9214-5

By Sen. Miller, to encourage repatriation by recipient nations of capital invested in other countries by its own citizens. pp. 9215-6

Rejected, 40-45, an amendment by Sen. Cotton barring aid to any country which exports arms or strategic materials to any country dominated by USSR. pp. 9196-203

Sen. Humphrey spoke on the importance of providing aid to India. pp. 9228-30

2. AGRICULTURE AND FORESTRY Committee reported the following bills: (p. 9158)

~~H. R. 4083, to reduce the frequency of reports required of the Veterans' Administration on the use of surplus dairy products; without amendment (S. Rept. 1573).~~

S. 3062, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions (S. Rept. 1566); without amendment.

~~H. R. 7866, to make clear that the Poultry Products Inspection Act applies to Puerto Rico and the Virgin Islands (S. Rept. 1569); without amendment.~~

~~H. R. 10374, to reduce the revolving fund available for subscriptions to the capital stock of the banks for cooperatives (S. Rept. 1572); without amendment.~~

~~H. R. 4939, to direct the Farmers Home Administration to convey to the Board of Education of Jasper County, Ga., the right, title, and interest retained in a quitclaim deed covering a tract of land (S. Rept. 1568); without amendment.~~

~~H. R. 8050, to prohibit or regulate the importation into the U. S. of adult honeybees of all species and subspecies and to provide that adult honeybees could not be imported from countries which do not take adequate precautions to prevent importation from countries where bee diseases occur (S. Rept. 1570); without amendment.~~

~~H. R. 9736, to authorize the Secretary of Agriculture to permit certain property to be used for State forestry work (S. Rept. 1575); without amendment.~~

~~S. 3064, to amend the act of 1928 directing a national survey of forest resources so as to remove the appropriation limitation (S. Rept. 1567) with amendment.~~

3. EXPORT CONTROL. The Banking and Currency Committee reported with amendment S. 3161, to continue the Export Control Act (S. Rept. 1576). p. 9158

4. RECLAMATION; SURPLUS COMMODITIES. Sen. Proxmire criticized the proposed Glen

CONSERVATION RESERVE HAY HARVESTING IN DISASTER SITUATIONS

JUNE 7, 1962.—Ordered to be printed

Mr. YOUNG of North Dakota, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 3062]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 3062), to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill would make permanent the existing provision authorizing the Secretary of Agriculture to permit hay harvesting on conservation reserve acreage in certain disaster conditions. The Governor of the State in which the average is situated must certify the need for such harvesting, and the Secretary must determine that such harvesting is necessary to alleviate suffering caused by natural disaster, before such harvesting can be permitted.

The bill makes no other change in the existing provision, which is scheduled to expire on June 29, and which the Secretary of Agriculture has described as highly successful.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 18, 1962.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your request of March 24, 1962, for a report on S. 3062, introduced jointly by Senators Young and Burdick of North Dakota, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions. In a report on an identical bill S. 2662 submitted to you on February 21, 1962, we recommended the enactment of the proposed bill in order to make the program permanent.

We would like to reiterate our favorable position on the legislation, and point out that this has been a highly successful program in the past year in alleviating a critical feed situation and in preventing irreparable damage to many farmers whose normal supplies of hay were severely reduced by the drought.

Since the existing authority expires June 29, 1962, the bill should be passed immediately in order that farmers may have the opportunity to harvest hay in the event of a severe drought, while the quality is good.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SOIL BANK ACT

SEC. 107. (a) To effectuate the purposes of this title the Secretary is hereby authorized to enter into contracts for periods of not less than 3 years with producers determined by him to have control for the contract period of the farms covered by the contract wherein the producer shall agree:

(1) To establish and maintain for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses on a specifically designated acreage of land on the farm regularly used in the production of crops (including crops, such as tame hay, alfalfa, and clovers, which do not require annual tillage).

(2) To devote to conserving crops or uses, or allow to remain idle, throughout the contract period an acreage of the remaining land on

the farm which is not less than the acreage normally devoted only to conserving crops or uses or normally allowed to remain idle on such remaining acreage.

(3) Not to harvest any crop from the acreage established in protective vegetative cover, excepting timber (in accordance with sound forestry management) and wildlife or other natural products of such acreage which do not increase supplies of feed for domestic animals, *and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster* *and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster.*

(4) Not to graze any acreage established in protective vegetative cover prior to January 1, 1959, or such later date as may be provided in the contract, except pursuant to the provisions of section 103(a)(3) hereof; and if such acreage is grazed at the end of such period, to graze such acreage during the remainder of the period covered by the contract in accordance with sound pasture management.

[NOTE.—Matter between asterisks is effective through June 29, 1962.]



TABLE 1 RESULTS OF TREATMENT OF 100 CASES OF ACUTE AND CHRONIC GOUT		TABLE 2 RESULTS OF TREATMENT OF 100 CASES OF ACUTE AND CHRONIC GOUT	
Case No.	Age, Sex, and Duration of Disease	Case No.	Age, Sex, and Duration of Disease
1	45, M, 10 years	51	65, F, 5 years
2	55, M, 15 years	52	70, M, 20 years
3	60, M, 20 years	53	75, F, 10 years
4	65, M, 25 years	54	80, M, 30 years
5	70, M, 30 years	55	85, F, 15 years
6	75, M, 35 years	56	90, M, 40 years
7	80, M, 40 years	57	95, F, 20 years
8	85, M, 45 years	58	100, M, 25 years
9	90, M, 50 years	59	105, F, 30 years
10	95, M, 55 years	60	110, M, 35 years
11	100, M, 60 years	61	115, F, 40 years
12	105, M, 65 years	62	120, M, 45 years
13	110, M, 70 years	63	125, F, 50 years
14	115, M, 75 years	64	130, M, 55 years
15	120, M, 80 years	65	135, F, 60 years
16	125, M, 85 years	66	140, M, 65 years
17	130, M, 90 years	67	145, F, 70 years
18	135, M, 95 years	68	150, M, 75 years
19	140, M, 100 years	69	155, F, 80 years
20	145, M, 105 years	70	160, M, 85 years
21	150, M, 110 years	71	165, F, 90 years
22	155, M, 115 years	72	170, M, 95 years
23	160, M, 120 years	73	175, F, 100 years
24	165, M, 125 years	74	180, M, 105 years
25	170, M, 130 years	75	185, F, 110 years
26	175, M, 135 years	76	190, M, 115 years
27	180, M, 140 years	77	195, F, 120 years
28	185, M, 145 years	78	200, M, 125 years
29	190, M, 150 years	79	205, F, 130 years
30	195, M, 155 years	80	210, M, 135 years
31	200, M, 160 years	81	215, F, 140 years
32	205, M, 165 years	82	220, M, 145 years
33	210, M, 170 years	83	225, F, 150 years
34	215, M, 175 years	84	230, M, 155 years
35	220, M, 180 years	85	235, F, 160 years
36	225, M, 185 years	86	240, M, 165 years
37	230, M, 190 years	87	245, F, 170 years
38	235, M, 195 years	88	250, M, 175 years
39	240, M, 200 years	89	255, F, 180 years
40	245, M, 205 years	90	260, M, 185 years
41	250, M, 210 years	91	265, F, 190 years
42	255, M, 215 years	92	270, M, 195 years
43	260, M, 220 years	93	275, F, 200 years
44	265, M, 225 years	94	280, M, 205 years
45	270, M, 230 years	95	285, F, 210 years
46	275, M, 235 years	96	290, M, 215 years
47	280, M, 240 years	97	295, F, 220 years
48	285, M, 245 years	98	300, M, 225 years
49	290, M, 250 years	99	305, F, 230 years
50	295, M, 255 years	100	310, M, 235 years

Calendar No. 1526

87TH CONGRESS
2D SESSION

S. 3062

[Report No. 1566]

IN THE SENATE OF THE UNITED STATES

MARCH 23 (legislative day, MARCH 14), 1962

Mr. YOUNG of North Dakota (for himself and Mr. BURDICK) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JUNE 7, 1962

Reported by Mr. YOUNG of North Dakota, without amendment

A BILL

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 107 (a) (3) of the Soil Bank Act is amended
4 by changing the period at the end thereof to a comma and
5 adding the following: "and except that the Secretary may,
6 with the approval of the contract signers, permit hay to be
7 removed from such acreage if the Secretary, after certifica-
8 tion by the Governor of the State in which such acreage is
9 situated of the need for removal of hay from such acreage,
10 determines that it is necessary to permit removal of hay from

87TH CONGRESS
2D SESSION

S. 3062

[Report No. 1566]

A BILL

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

By Mr. YOUNG of North Dakota and Mr.

BURDICK

MARCH 23 (legislative day, MARCH 14), 1962

Read twice and referred to the Committee on
Agriculture and Forestry

JUNE 7, 1962

Reported without amendment

1 such acreage in order to alleviate damage, hardship, or
2 suffering caused by severe drought, flood, or other natural
3 disaster.”

June 14, 1962 No. 97

Act. p. D475

16. RECLAMATION. The Subcommittee on Irrigation and Reclamation of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 11164, to approve an amendatory repayment contract negotiated with the Quincy Columbia Basin Irrigation District, authorize similar contracts with any of the Columbia Basin Irrigation Districts, and to amend the Columbia Basin Project Act of 1943, as amended. p. D475
17. ELECTRIFICATION. The Subcommittee on Communications and Power of the Interstate and Foreign Commerce Committee voted to report to the full committee H. R. 6951, and S. 1606, to authorize the Federal Power Commission to exempt small hydroelectric projects from certain licensing provisions of the Federal Power Act. p. D475
18. ROADS. The "Daily Digest" states that the Subcommittee on Roads of the Public Works Committee met in executive session and ordered reported favorably to the full committee the Federal-Aid Highway Act of 1962, with amendments (a clean bill to be introduced). D746
SENATE
19. WHEAT. Concurred in the amendment of the House to S. J. Res. 198, to authorize the Secretary of Agriculture to defer until July 15, 1962, any proclamation with respect to a national acreage allotment for the 1963 wheat crop and any proclamation with respect to marketing quotas for such crop of wheat. This measure will now be sent to the President. p. 9773
20. CONSERVATION RESERVE; HAY. Passed without amendment S. 3062, to make permanent the existing provision of law authorizing the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage in certain disaster areas. pp. 9793-4
21. FOREIGN TRADE. Passed without amendment H. R. 10162, to amend the Bretton Woods Agreements Act so as to authorize the U. S. to participate in loans to the International Monetary Fund. This bill will now be sent to the President. pp. 9791-3
Sen. Sparkman expressed concern "over what the Common Market countries propose as far as agricultural products are concerned," particularly with regard to poultry, and stated that "If, by our inaction, we allow such a policy to become effective, we will cause incalculable harm not only to the poultry industry, but to American agriculture and our whole economy." pp. 9809-10
22. STOCKPILING. The Armed Services Committee reported without amendment H. Con. Res. 473, providing the express approval of the Congress for the disposition of certain materials from the national stockpile, including silk noils, abaca fiber, and vegetable tannins (S. Rept. 1592). p. 9755
23. CIVIL DEFENSE. The Armed Services Committee reported without amendment H. R. 11743, to amend the provisions of the Federal Civil Defense Act so as to extend to June 30, 1966, the emergency authority of the President to deal with the effects of an enemy attack on the Nation (S. Rept. 1593). p. 9755
24. SMALL BUSINESS. Passed with amendments S. 2970, to increase by \$226 million the Small Business Administration's revolving fund. pp. 9794-9801, 9778-9
25. FARM PROGRAM. Sen. Tower contended that "the Department of Agriculture's cavalier and defensive attitudes toward the Billie Sol Estes case have definitely served to materially lessen public confidence in the entire Federal Department," and inserted two newspaper articles to support his position.

pp. 9808-9

26. FOREIGN AID. Sen. Humphrey criticized Senate amendments to the foreign aid bill restricting aid to Yugoslavia and Poland and expressed hope that the House will "act less emotionally than this body did" and that "at the conference we shall be able to design legislative language which will permit the President...to have wide latitude in the conduct of our foreign policy, particularly with the countries behind the Iron Curtain." pp. 9820-1
27. TAXES. The Finance Committee voted to report with amendments (but did not actually report) H. R. 11879, to extend existing normal-tax rate and certain excise-tax rates. p. D473
28. COMMUNICATIONS. Began consideration of H. R. 11040, to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system. pp. 9817-20
29. FOOD FOR PEACE. Sen. Humphrey commended the food-for-peace program, inserted his remarks at the recent food-for-peace conference at Minneapolis, Minn., and commended George McGovern's administration of the program. pp. 9774-6
30. RECLAMATION. Sen. Anderson commended the Federal reclamation program on its 60th anniversary. p. 9767
31. CONSUMERS. Sen. Gruening commended Sen. Neuberger's efforts in behalf of greater protection for consumers and inserted an article discussing her recent speech at the Cooperative League's Government Affairs Conference on consumer problems. p. 9765
32. PERSONNEL. Sen. Mansfield inserted Sen. Jackson's recent speech at the Industrial College of the Armed Services on the need for excellence in the high posts of Government, including a career development program for policymaking and administrative positions. pp. 9760-1
33. FEDERAL EXPENDITURES. Sen. Capehart urged a reduction in Federal taxes by \$10 billion and Federal spending by \$15 billion before Congress adjourns. pp. 9764-5
Sen. Curtis inserted a tabulation on the President's requests for money during this session of Congress. pp. 9785-6

ITEMS IN APPENDIX

34. WHEAT; FOREIGN AID. Extension of remarks of Rep. Pilcher inserting an article which states that the Greece Government had appealed to farmers to limit wheat-growing "on the ground that it deprived Greece of substantial U. S. aid in agricultural surpluses." p. A4422
35. DAIRY. Extension of remarks of Sen. Wiley inserting an editorial on the significance of dairying to the Nation. pp. A4422-3
36. SMALL BUSINESS. Extension of remarks of Sen. Sparkman inserting a statement before the S. Banking and Currency Committee on the question of set-asides for small business. p. A4424
Extension of remarks of Rep. Downing commending the Small Business Administration and inserting an article, "Small Business Administration Gives Fresh Meaning to Federal Agencies." p. A4475
37. FARM PROGRAM. Extension of remarks of Rep. O'Neill inserting an article by Hendrik S. Houthakker, professor of economics Harvard University, "The

think, on the part of the Senator from Delaware [Mr. WILLIAMS], which I discover, after further consultation with him, has been withdrawn. I have talked to other members of the Committee on Foreign Relations, and the bill does have their concurrence.

Mr. FULBRIGHT. The Senator is quite correct. The Senator from Delaware did have some reservations. It is my understanding he has withdrawn those reservations.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 10162) was ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. FULBRIGHT. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

HARVESTING OF HAY ON CONSERVATION RESERVE ACREAGE

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1526, S. 3062.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3062) to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. YOUNG of North Dakota. Mr. President, when the Soil Bank Act was passed, grazing on soil bank land in case of drought or other natural disaster was permitted upon request by a Governor of any State and approval by the Secretary of Agriculture. The pending bill merely would give the same privilege with respect to cutting hay on soil bank land. It would make permanent, the program passed by Congress last year, but limited to 1 year.

The bill which was passed last year, sponsored by my colleague [Mr. BURDICK] and I, was very helpful to the State of North Dakota, as well as to other States. It helped keep cattle on the land and provided vitally needed hay for livestock, and, in addition, it resulted in considerable money for the Federal Government. The payments to the Federal Government from hay, from my State alone, amounted to about \$2 million.

The bill has the unanimous approval of the Senate Committee on Agriculture and Forestry and of the Secretary of Agriculture.

Mr. BURDICK. Mr. President, I rise to urge my colleagues to approve this much needed legislation. As my colleague from North Dakota has said, it would make permanent the legislation which was passed last year, which was so helpful to the drought areas of the Northwest. This year we still are experiencing some of the results and effects of the devastating drought of last year, in that pastures have been killed.

At the present time the Secretary has already designated 13 counties in our State for eligibility under the temporary legislation. I understand 17 more counties are sought to be so designated.

The proposed legislation would be beneficial. We hope it will receive the approval of this body.

Mr. YOUNG of North Dakota. Mr. President, I ask unanimous consent to have printed in the RECORD a statement explaining S. 3062 and also an excerpt from the report of the Committee on Agriculture and Forestry.

There being no objection, the statement and excerpt were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR YOUNG OF NORTH DAKOTA

Last year the Senate passed and the President signed a bill authorizing the Secretary of Agriculture to permit hay to be harvested from conservation reserve acreage where necessary to alleviate hardship caused by drought or other natural disaster. Permission could be granted only after certification of the Governor of the State of the need therefor and upon the independent determination by the Secretary of such need. This authorization was for 1 year only.

This bill, S. 3062, would make permanent the existing provision authorizing the harvesting of hay on conservation reserve acreage.

The Department of Agriculture reports that they favor the passage of this legislation because the program has been highly successful in the past year in alleviating a critical feed situation and in preventing irreparable damage to many farmers whose normal supplies of hay were severely reduced by the drought.

Grazing of conservation reserve lands is now permitted under sections 103(a)(3) and 107(a)(4) of the Soil Bank Act under conditions such as those under which hay harvesting would be permitted by the bill. The Department of Agriculture has advised the committee that downward adjustment in the conservation reserve payments have been made as a condition of granting permission for such grazing or haying in most cases. However, the Department has granted grazing privileges in flood areas for very short periods of time where such deductions are not warranted or made. The committee was advised that the Department would continue this practice under the permanent provisions of law.

This bill would make permanent the existing provision authorizing the Secretary of Agriculture to permit hay harvesting on conservation reserve acreage in certain disaster conditions. The Governor of the State in which the acreage is situated must certify the need for such harvesting, and the Secretary must determine that such harvesting is necessary to alleviate suffering caused by natural disaster, before such harvesting can be permitted.

The bill makes no other change in the existing provision, which is scheduled to expire on June 29, and which the Secretary of Agriculture has described as highly successful.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 18, 1962.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your request of March 24, 1962, for a report on S. 3062, introduced jointly by Senators YOUNG and BURDICK of North Dakota, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions. In a report on an identical bill S. 2662 submitted to you on February 21, 1962, we recommended the enactment of the proposed bill in order to make the program permanent.

We would like to reiterate our favorable position on the legislation, and point out that this has been a highly successful program in the past year in alleviating a critical feed situation and in preventing irreparable damage to many farmers whose normal supplies of hay were severely reduced by the drought.

Since the existing authority expires June 29, 1962, the bill should be passed immediately in order that farmers may have the opportunity to harvest hay in the event of a severe drought, while the quality is good.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

"SOIL BANK ACT

SEC. 107. (a) To effectuate the purposes of this title the Secretary is hereby authorized to enter into contracts for periods of not less than 3 years with producers determined by him to have control for the contract period of the farms covered by the contract wherein the producer shall agree:

(1) To establish and maintain for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses on a specifically designated acreage of land on the farm regularly used in the production of crops (including crops, such as tame hay, alfalfa, and clovers, which do not require annual tillage).

(2) To devote to conserving crops or uses, or allow to remain idle, throughout the contract period an acreage of the remaining land on the farm which is not less than the acreage normally devoted only to conserving crops or uses or normally allowed to remain idle on such remaining acreage.

(3) Not to harvest any crop from the acreage established in protective vegetative cover, excepting timber (in accordance with sound forestry management) and wildlife or other natural products of such acreage which do not increase supplies of feed for domestic animals, *and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster* and except

that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster.

(4) Not to graze any acreage established in protective vegetative cover prior to January 1, 1959, or such later date as may be provided in the contract, except pursuant to the provisions of section 103(a)(3) hereof; and if such acreage is grazed at the end of such period, to graze such acreage during the remainder of the period covered by the contract in accordance with sound pasture management.

[NOTE.—Matter between asterisks is effective through June 29, 1962.]

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3062) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 107(a)(3) of the Soil Bank Act is amended by changing the period at the end thereof to a comma and adding the following: "and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster."

Mr. YOUNG of North Dakota. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. BURDICK. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

ADDITIONAL FUNDS FOR THE COMMITTEE ON ARMED SERVICES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1545, Senate Resolution 345.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 345) to provide additional funds for the Committee on Armed Services.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The resolution is open to amendment. If

there be no amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 345) was agreed to, as follows:

Resolved, That S. Res. 295, agreed to February 22, 1962, authorizing a study by the Committee on Armed Services on strategic and critical stockpiling, is amended on page 2, line 14, by striking "\$30,000," and inserting in lieu thereof "\$80,000."

AMENDMENT OF THE SMALL BUSINESS ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1501, S. 2970.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2970) to amend the Small Business Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with an amendment, to strike out all after the enacting clause and insert:

That subsection (c) of section 4 of the Small Business Act is amended to read as follows:

"(c) There is hereby established in the Treasury a revolving fund, referred to in this section as 'the fund' for the Administration's use in financing the functions performed under sections 7(a), 7(b), and 8(a) and under the Small Business Investment Act of 1958, as amended, including the payment of administrative expenses in connection with such functions. All repayments of loans and debentures, payments of interest, and other receipts arising out of transactions financed from the fund shall be paid into the fund. As capital thereof, appropriations not to exceed \$1,450,000,000 are hereby authorized to be made to the fund, which appropriations shall remain available until expended. Not to exceed an aggregate of \$1,109,000,000 shall be outstanding at any one time for the purposes enumerated in the following sections of this Act: 7(a) (relating to regular business loans), 7(b) (relating to disaster loans), and 8(a) (relating to prime contract authority). Not to exceed an aggregate of \$341,000,000 shall be outstanding at any one time for the exercise of the functions of the Administration under the Small Business Investment Act of 1958, as amended. The Administration shall pay into miscellaneous receipts of the Treasury, following the close of each fiscal year, interest on the outstanding cash disbursements from the fund, at rates determined by the Secretary of the Treasury, taking into consideration the current average yields on outstanding interest-bearing marketable public debt obligations of the United States of comparable maturities as calculated for the month of June preceding such fiscal year."

Mr. PROXMIRE. Mr. President, it is my understanding that the pending bill is S. 2970; is that correct?

The PRESIDING OFFICER. The Senator from Wisconsin is correct.

Mr. PROXMIRE. Mr. President, the bill would increase by \$250 million the authorization for the Small Business Administration's revolving fund, making a total authorization to the fund of \$1.450 billion. The bill would increase by \$16 million the funds that SBA can commit for its programs under the Small Business Investment Act of 1958. The bill also would combine the ceilings which SBA can commit under its regular business loan program and its disaster loan program. This proposed increase amounts to \$234 million. The combination of these two authorizations should permit more flexibility by SBA in the operations of these two programs.

However, the regular business loan program of SBA should not be permitted to impair the authorization available for its disaster loan program. The committee was assured by Administrator John E. Horne, as set out in the committee's report:

Because of the impossibility of forecasting the incidence or the financial impact of disasters, a token amount of \$14 million customarily has been included in the budget estimate. In accordance with prudent financial management procedures, precautions are taken to assure that at least this amount is retained in the financial plan for disaster loans as long as required.

The committee believes from the Administrator's assurances that there will be adequate funds kept available for the disaster loan program.

The bill also would change the method of computing interest on the funds that SBA receives from Treasury for SBA's various lending programs. The bill would provide that the Secretary of the Treasury, in June of each year, should set the rate, or rates, to be charged the Small Business Administration for all disbursements made by the Small Business Administration during the succeeding fiscal year. These rates would remain applicable to such disbursements, regardless of any subsequent fluctuations in the borrowing costs of the Government, until the money is returned to the Treasury.

The present law provides that the Secretary of the Treasury compute each year a rate applicable to all outstanding cash disbursements made by the Small Business Administration regardless of the year in which the disbursements were made. Since fiscal year 1961, a weighted average interest rate taking into consideration prior yearly rates has been in effect.

I ask unanimous consent to have inserted in the RECORD at this time a computation, requested by the committee from the SBA, which shows the difference in amount of interest payments to the Treasury Department by the Small Business Administration under present law compared with the payments which would have been made if the interest payments had been computed under the provisions of this bill.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

87TH CONGRESS
2D SESSION

S. 3062

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 1962

Referred to the Committee on Agriculture

AN ACT

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 107 (a) (3) of the Soil Bank Act is amended
4 by changing the period at the end thereof to a comma and
5 adding the following: "and except that the Secretary may,
6 with the approval of the contract signers, permit hay to be
7 removed from such acreage if the Secretary, after certifica-
8 tion by the Governor of the State in which such acreage is
9 situated of the need for removal of hay from such acreage,
10 determines that it is necessary to permit removal of hay from

1 such acreage in order to alleviate damage, hardship, or
2 suffering caused by severe drought, flood, or other natural
3 disaster.”

Passed the Senate June 14, 1962.

Attest: FELTON M. JOHNSTON,
Secretary.

AN ACT

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

JUNE 15, 1962

Referred to the Committee on Agriculture

June 28, 1962 220 108

26. PERSONNEL. Rep. Beckworth inserted several letters pertaining to the use of assembled and unassembled examinations and boards of U. S. Civil Service Examiners by the agencies. pp. 11273-7
27. EDUCATION. The Education and Labor Committee voted to report (but did not actually report) H. R. 12070, to provide assistance in the field of special education to institutions of higher learning, and to the States. p. D534
Rep. Wilson, Calif., commended the centennial of the land-grant colleges and said, "I am confident our land-grant institutions will continue to be a credit to our country." p. 11278
Rep. McDowell discussed the centennial of the Morrill Land-Grant College Act and said, "more than any other single measure, this act has shaped significantly the educational and, perhaps, the economic development of our Nation." pp. 11284-6
28. SURPLUS PROPERTY. The Government Operations Committee issued a report on evaluation of the donable surplus property program (H. Rept. 1943). p. 11288
29. FOREIGN AFFAIRS. The Foreign Affairs Committee issued a report of the Special Study Mission to the Far East, South Asia, and the Middle East (H. Rept. 1946). p. 11288
0. APPROPRIATIONS. Received from the President an amendment to the budget for fiscal 1963 involving an increase of \$382,000 for the civil functions of the Department of the Army (H. Doc. 463). p. 11288
1. ROADS. The Public Works Committee reported with amendments H. R. 12135, the proposed Federal-Aid Highway Act of 1962 (H. Rept. 1948). p. 11288
2. SOIL BANK. The Agriculture Committee reported without amendment S. 3062, to amend the Soil Bank Act to make permanent the existing provision of law authorizing the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage in certain disaster areas (H. Rept. 1961). p. 11288
3. SAFETY. The Education and Labor Committee voted to report (but did not actually report) H. R. 12306, the proposed Occupational Safety Act of 1962. p. D534
4. LEGISLATIVE PROGRAM. Rep. Albert announced that the conference report on S. 3161 to extend the Export Control Act, will be considered on Fri., and the conference report on H. R. 12154, to extend the Sugar Act, will be considered on Sat. if reported by the conference committee. p. 11244

ITEMS IN APPENDIX

5. TOBACCO. Extension of remarks of Rep. Evins inserting an article, "Cigarette Taxes: Enough Money to Pay for U. S. Space Program," and stating that tobacco is now one of the principal sources of public revenue for all levels of government. p. A4924
6. PEACE CORPS. Extension of remarks of Rep. Flood inserting an article, "Peace Corps Thrives In First Year Abroad--Nations Ask More As 1,000th Recruit Heads Overseas." pp. A4925-7
Extension of remarks of Sen. Kerr inserting an address by Director Shriver on the operations and programs of the Peace Corps. pp. A4933-5
7. WATER RESOURCES. Extension of remarks of Rep. Weaver inserting the report of the projects committee to the 49th convention of the National Rivers and Harbors Congress. pp. A4927-9

14. SUGAR. Sen. Carroll commended the sugar program and paid tribute to former Sen. Costigan for his efforts in the enactment of the original sugar legislation. pp. 11298-9
15. MEAT INSPECTION. Both Houses received from this Department ~~proposed legislation~~ to extend the provisions of the Meat Inspection Act to certain classes of establishments not now subject to the Act; to H. and S. Agriculture Committees. pp. 11291, 11288
16. INSPECTION; RESEARCH. The Foreign Relations Committee reported with amendment H. R. 8982, to authorize construction of a bridge across the Rio Grande at or near Heath Crossing, Tex. (S. Rept. 1668), and with amendments H. R. 9883, to authorize construction of a toll bridge across the Rio Grande near Los Indios, Tex. (S. Rept. 1669). p. 11291
17. LAND-GRANT COLLEGES. Sens. Long (Hawaii), Carlson, and Miller commended the work of the land-grant colleges on their 100th anniversary. pp. 11299, 11322-3, 11359
18. CONSUMER PRICE INDEX. Sen. Humphrey inserted an article on the consumer price index, "Price Index Steady After 3-Month Rise." pp. 11300-01
19. EXPORT CONTROL. Both Houses received the conference report on S. 3161, to provide for continuation of authority for regulation of exports (H. Rept. 1949) (pp. 11238-9, 11288, 11347). By a vote of 44 to 33, agreed to a motion by Sen. Keating to recommit the bill to the conference committee for further consideration, pp. 11347-53).
20. FISCAL CONDITIONS. Sen. Byrd, Va., inserted his statement on the financial condition of the Federal Government. pp. 11334-7
21. LEGISLATIVE PROGRAM. Sen. Humphrey announced that S. 2560, to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, will be considered on Fri., and that there would be a session on Sat. to consider the sugar bill if the conference committee completes its work on the bill. p. 11353

HOUSE

22. FOREIGN TRADE. By a vote of 299 to 125, passed as reported H. R. 11970, the proposed Trade Expansion Act of 1962 (pp. 11141-238, 11245-50, 11253-72, 11282, 11283-4). Earlier, by a vote of 171 to 253, rejected a motion by Rep. Mason to recommit the bill (11237-8). See Digest 101 for a summary of the provisions of this bill.
23. SUGAR. Conferees were appointed on H. R. 12154, to amend and extend the provisions of the Sugar Act of 1948, as amended. pp. 11238, 11278
24. TOBACCO. The Agriculture Committee reported with amendment S. J. Res. 201, to extend the time by which a lease transferring a tobacco acreage allotment may be filed (H. Rept. 1952). p. 11288
25. FARM LABOR. The Education and Labor Committee voted to report (but did not actually report) S. 1124, to provide financial assistance to the States to improve educational opportunities for migrant agricultural employees and their children, and S. 1132, with amendment, to provide for the establishment of a National Advisory Council on Migratory Labor. p. D534

CONSERVATION RESERVE HAY HARVESTING IN DISASTER SITUATIONS

JUNE 28, 1962.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the
following

REPORT

[To accompany S. 3062]

The Committee on Agriculture, to whom was referred the bill (S. 3062) to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of this bill is to remove the termination date on a provision of law enacted last year authorizing the Secretary of Agriculture to permit hay harvesting on conservation reserve acreage under certain disaster conditions. In its present form the law expires on June 29, 1962. In administering the temporary law, conservation reserve payments have been reduced by the value of the hay which is removed under the authority of this emergency provision and this policy will be continued in future administration of the act.

SENATE REPORT

[S. Rept. 1566, 87th Cong., 2d sess.]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 3062), to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions, having considered the same report thereon with a recommendation that it do pass without amendment.

This bill would make permanent the existing provision authorizing the Secretary of Agriculture to permit hay harvesting on conservation reserve acreage in certain disaster conditions. The Governor of the State in which the acreage is situated must certify the need for such harvesting, and the Secretary must determine that such harvesting is necessary to alleviate suffering caused by natural disaster, before such harvesting can be permitted.

The bill makes no other change in the existing provision, which is scheduled to expire on June 29, and which the Secretary of Agriculture has described as highly successful.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 18, 1962.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your request of March 24, 1962, for a report on S. 3062, introduced jointly by Senators Young and Burdick of North Dakota, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions. In a report on an identical bill, S. 2662, submitted to you on February 21, 1962, we recommended the enactment of the proposed bill in order to make the program permanent.

We would like to reiterate our favorable position on the legislation, and point out that this has been a highly successful program in the past year in alleviating a critical feed situation and in preventing irreparable damage to many farmers whose normal supplies of hay were severely reduced by the drought.

Since the existing authority expires June 29, 1962, the bill should be passed immediately in order that farmers may have the opportunity to harvest hay in the event of a severe drought, while the quality is good.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

SOIL BANK ACT

SEC. 107. (a) To effectuate the purposes of this title the Secretary is hereby authorized to enter into contracts for periods of not less than

3 years with producers determined by him to have control for the contract period of the farms covered by the contract wherein the producer shall agree:

(1) To establish and maintain for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses on a specifically designated acreage of land on the farm regularly used in the production of crops (including crops, such as tame hay, alfalfa, and clovers, which do not require annual tillage).

(2) To devote to conserving crops or uses, or allow to remain idle, throughout the contract period an acreage of the remaining land on the farm which is not less than the acreage normally devoted only to conserving crops or uses or normally allowed to remain idle on such remaining acreage.

(3) Not to harvest any crop from the acreage established in protective vegetative cover, excepting timber (in accordance with sound forestry management) and wildlife or other natural products of such acreage which do not increase supplies of feed for domestic animals, *and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster* *and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster.*

(4) Not to graze any acreage established in protective vegetative cover prior to January 1, 1959, or such later date as may be provided in the contract, except pursuant to the provisions of section 103(a)(3) hereof; and if such acreage is grazed at the end of such period, to graze such acreage during the remainder of the period covered by the contract in accordance with sound pasture management.

[NOTE.—Matter between asterisks is effective through June 29, 1962.]



Union Calendar No. 808

87TH CONGRESS
2^D SESSION

S. 3062

[Report No. 1951]

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 1962

Referred to the Committee on Agriculture

JUNE 28, 1962

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

AN ACT

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 107 (a) (3) of the Soil Bank Act is amended
4 by changing the period at the end thereof to a comma and
5 adding the following: "and except that the Secretary may,
6 with the approval of the contract signers, permit hay to be
7 removed from such acreage if the Secretary, after certifica-
8 tion by the Governor of the State in which such acreage is
9 situated of the need for removal of hay from such acreage,
10 determines that it is necessary to permit removal of hay from

1 such acreage in order to alleviate damage, hardship, or
 2 suffering caused by severe drought, flood, or other natural
 3 disaster.”

Passed the Senate June 14, 1962.

Attest:

FELTON M. JOHNSTON,

Secretary.

AN ACT

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

JUNE 15, 1962

Referred to the Committee on Agriculture

JUNE 28, 1962

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

aged, and Sen. Anderson inserted a summary, "Significant Improvements in Anderson Bill (S. 909) Made by Anderson Amendment to Welfare Bill (H. R. 10606)". pp. 11414-6, 11416-21, 11434-7

20. INSPECTION; RESEARCH. Passed as reported H. R. 8982, to authorize the construction of a bridge across the Rio Grande at or near Heath Crossing, Tex. p.11432
Passed as reported H. R. 9883, to authorize construction of a toll bridge across the Rio Grande near Los Indios, Tex. pp. 11432-3
21. PERSONNEL. Sen. Long, Hawaii, inserted a resolution of the Legislature of American Samoa commending Nathan Koenig, AMS, for "his fine services to our government and our people." p. 11437
22. LEGISLATIVE PROGRAM. Sen. Humphrey stated that the conference report on the sugar bill will be considered on Mon. pp. 11424-5
23. ADJOURNED until Mon., July 2. p. 11439

HOUSE - JUNE 30

24. SUGAR. Agreed to the conference report on H. R. 12154, to amend and extend the provisions of the Sugar Act of 1948 (pp. 11493-501). For a summary of the provisions of this bill as reported by conference committee see item 1 of this Digest.
25. HAY; CONSERVATION RESERVE. Passed without amendment S. 3062, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster (p. 11501). This bill will now be sent to the President.
26. TOBACCO. Passed as reported S. J. Res. 201, to amend section 316 of the Agricultural Adjustment Act of 1938, to provide that tobacco lease transfers shall be effective if agreed upon prior to the normal planting time in the county or June 15, 1962, whichever is earlier, and the terms of the lease are filed in writing in the county office in which the farms involved are located within twenty days of the date of the enactment of this bill. p. 11501
27. EXPORT CONTROL. Agreed to the conference report on S. 3161, to provide for continuation until June 30, 1965, of authority for regulation of exports (pp. 11490-3). This bill will now be sent to the President.
28. CONTRACTS. Concurred in Senate amendments to H. R. 12061, to extend for two years, until June 30, 1964, the Renegotiation Act of 1951 (pp. 11501-3). This bill will now be sent to the President.
29. INSPECTION; RESEARCH. Concurred in Senate amendments to H. R. 8982, to authorize construction of a bridge across the Rio Grande at or near Heath Crossing, Tex., and H. R. 9883, to authorize construction of a toll bridge across the Rio Grande near Los Indios, Tex. (p. 11503). These bills will now be sent to the President.
30. LAND-GRANT COLLEGES. Rep. Kastenmeier commended the work of the land-grant colleges on their 100th anniversary. pp. 11510-11
31. LEGISLATIVE PROGRAM. Rep. Albert announced that the Private and Consent Calendars would be called on Monday and that it was hoped that the House would complete the legislative business for the week and not program any legislation

for the balance of the week. Stated that unanimous consent would be asked to go over on adjournment until Thursday, and thence until the following Monday, July 9, p. 11503

32. ADJOURNED until Monday., July 2, p. 11514

ITEMS IN APPENDIX

33. RECLAMATION. Extension of remarks of Rep. Chenoweth inserting a copy of the report of the Committee on Irrigation and Reclamation to the National Rivers and Harbors Congress. pp. A4941-3
Extension of remarks of Rep. Albert inserting an address by Rep. McCormack before the Rivers and Harbors Congress. pp. A5025-6
34. RECREATION. Extension of remarks of Rep. Aspinall inserting a speech by Edward C. Crafts, director of the new Bureau of Outdoor Recreation, "The Bureau of Outdoor Recreation--Declarations of Intent." pp. A4944-5
35. PERSONNEL. Extension of remarks of Rep. Buckley inserting his statement favoring a salary increase for Federal employees. p. A4949
36. SCHOOL LUNCH. Extension of remarks of Rep. Carey inserting an article, "Church-State Debate: Fair Federal Aid for Lunch." p. A4959
Extension of remarks of Rep. Lane inserting a statement of the operation of the school lunch program in the 7th Congressional District, Mass. p. A4980
37. BUDGET. Extension of remarks of Sen. Byrd inserting an article, "New Federal Budget Ideas Only Hide Facts of Debt, Deficits, Will Not Aid Economy." pp. A4983-4
38. LUMBER INDUSTRY. Speech in the House by Rep. Hansen during debate on the trade expansion bill as to the position of the lumber industry. pp. A4992-3
39. LAND-GRANT COLLEGES. Extension of remarks of Rep. Watts saluting the land-grant colleges and universities upon the occasion of the 100th anniversary of the signing of the Morrill Act. pp. A4994-5
Extension of remarks of Sen. Randolph paying tribute to the land-grant colleges and inserting an article discussing their contributions. pp. A4996-7
40. TOBACCO. Extension of remarks of Rep. Sikes reporting on progress on efforts to produce in Florida the cigar wrapper tobacco, an industry for which we were formerly dependent on Cuba. pp. A5013-4
41. WILDERNESS. Extension of remarks of Rep. Lindsay inserting an article, "Critic At Large: Misuse of the National Timber Reserves Points Up Need for Wilderness Bill." pp. A5044-5
42. FARM PROGRAM. Extension of remarks of Rep. Dole inserting an article "concerning the tactics employed by Secretary of Agriculture Freeman and his cohorts in attempts to pressure Members of the House into voting for the administration farm bill." p. A4948
Extension of remarks of Rep. Breeding inserting a telegram sent to the Secretary by several Kansas farm organizations in support of the defeated farm bill. p. A 4990
Extension of remarks of Rep. Michel inserting an article, "Try Again On Farm Bill, Mr. President." p. A5027

Mr. Cramer for, with Mr. Bass of New Hampshire against.

Mr. Keogh for, with Mr. Fogarty against.

Until further notice:

Mr. Buckley with Mr. Alger.

Mr. Alford with Mr. Nygaard.

Mr. Maiter with Mr. Martin of Massachusetts.

Mr. Kornegay with Mr. Horan.

Mr. Farbstein with Mr. Moore.

Mr. George P. Miller with Mr. Saylor.

Mr. Addabbo with Mr. Halleck.

Mr. Davis of Tennessee with Mr. Morse.

Mrs. Kelly with Mr. Scranton.

Mr. Flood with Mr. Curtis of Massachusetts.

Mr. Deane with Mr. MacGregor.

Mr. Walter with Mr. Glenn.

Mr. Zelenko with Mr. Wilson of California.

Mr. Friedel with Mr. Bates.

Mr. Healey with Mr. Arends.

Mr. Philbin with Mr. Hoeven.

Mr. Santangelo with Mr. Judd.

Mr. Donohue with Mr. Byrnes of Wisconsin.

Mr. O'Brien of New York with Mr. Laird.

Mr. Lane with Mr. Betts.

Mr. Powell with Mr. McCulloch.

Mr. Loser with Mr. Griffin.

Mr. Carey with Mr. Miller of New York.

Mr. McSweeney with Mr. Riehlman.

Mr. Celler with Mr. Whalley.

Mr. Green of Pennsylvania with Mr. Frelinghuysen.

Mr. Gilbert with Mrs. Bolton.

Mr. Barrett with Mr. Chenoweth.

Mr. Stratton with Mr. Nelsen.

Mr. Bailey with Mr. Goodell.

Mr. Anuso with Mr. Van Zandt.

Mr. Burke of Kentucky with Mr. Poff.

Mr. Bonner with Mr. Bromwell.

Mr. Corman with Mr. Seely-Brown.

Mr. Moss of California with Mr. Fino.

Mr. Harrison of Virginia with Mr. Hosmer.

Mr. Biatnik with Mr. Ashbrook.

Mr. St. Germain with Mrs. Reece.

Mr. Saund with Mr. Derwinski.

Mr. Shelley with Mr. Tollefson.

Mr. Sheppard with Mr. Becker.

Mr. Sisk with Mr. Elsworth.

Mr. Slack with Mr. Latta.

Mr. Smith of Virginia with Mr. Kilburn.

Mr. Thompson of Louisiana with Mr. Chamberlain.

Mr. Jennings with Mr. Rousselot.

Mr. Madden with Mr. Curtis of Massachusetts.

Mr. Moorhead of Pennsylvania with Mr. Derounian.

Mr. Rains with Mr. Broyhill.

Mr. Reuss with Mr. Kyl.

Mr. Rhodes of Pennsylvania with Mr. Garland.

Mr. Frazier with Mr. McVey.

Mr. Fallon with Mr. Mailliard.

Mr. Colmer with Mr. Hoffman of Michigan.

Mr. MORRIS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMIT THE HARVESTING OF HAY

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3062) to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 107(a)(3) of the Soil Bank Act is amended by changing the period at the end thereof to a comma and adding the following: "and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster."

Mr. SHORT. Mr. Speaker, the bill under consideration, S. 3062, is identical to legislation introduced in the House by my colleague from North Dakota [Mr. NYGAARD] and myself. Since S. 3062 was passed in the Senate some time ago, in order to expedite granting of this haying authority, the House Committee on Agriculture substituted the Senate bill in its entirety for my bill. This eliminates the necessity for a conference and the bill can go directly to the President for his signature.

This legislation is looked upon with favor by the Department of Agriculture and provides the means of utilizing the land retired under the soil bank program in areas where disaster conditions exist, such as drouth or flood.

If there are any questions, I would be glad to take time to explain this bill further, but since we passed similar authorizing legislation 1 year ago, I believe most of the Members are familiar with its provisions.

[Mr. BATTIN addressed the House. His remarks will appear hereafter in the Appendix.]

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOBACCO ACREAGE ALLOTMENTS

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S.J. Res. 201) to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. GROSS. Mr. Speaker, reserving the right to object, this is not the bill that contains the Senate provision dealing with the rotation of agricultural attaches, is it?

Mr. COOLEY. No; I do not think so.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 316 of the Agricultural Adjustment Act of 1938 is amended by adding thereto a new subsection (g) to read:

"(g) Notwithstanding the provisions of subsection (c) relating to the filing of a lease with the county committee, the lease and transfer of an allotment for the 1962 crop year shall be effective if, (1) pursuant to regulations issued by the Secretary, the county committee, with the approval of a representative of the State committee, finds a lease in compliance with the provisions of this section was agreed upon prior to the normal planting time in the county, as determined by the Secretary, or June 15, 1962, whichever is earlier, and (2) the terms of the lease are reduced to writing and filed in the county office in which the farms involved are located within twenty days of the date this subsection becomes law."

With the following committee amendment:

On page 1, line 9, strike out "pursuant to regulations issued by the Secretary, the county committee, with the approval of a representative of the State committee, finds" and insert in lieu thereof "the Secretary finds that".

The committee amendment was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE RENEGOTIATION ACT OF 1951

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 12061) to amend the Renegotiation Act of 1951, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

IN THE SENATE OF THE UNITED STATES,
June 29, 1962.

Resolved, That the bill from the House of Representatives (H.R. 12061) entitled "An Act to amend the Renegotiation Act of 1951" do pass with the following amendments: After line 6, insert:

"Sec. 2. (a) Section 108A of the Renegotiation Act of 1951, as amended (50 U.S.C., App., sec. 1218a), is amended to read as follows:

"SEC. 108A. REVIEW OF TAX COURT DECISIONS IN RENEGOTIATION CASES.

"(a) JURISDICTION.—Except as provided in section 1254 of title 28 of the United States Code, the United States Courts of Appeals shall have exclusive jurisdiction to review decisions by the Tax Court of the United States under section 108 of this Act in the same manner and to the same extent as decisions of the district courts in civil actions tried without a jury, except as otherwise provided in this section. In no case shall the question of the existence of excessive profits, or the extent thereof, be reviewed, and findings of fact by the Tax Court shall be conclusive unless such findings are arbitrary or capricious. The judgment of any such court shall be final except that it shall be subject to review, under the limitations herein provided for, by the Supreme Court of the United States upon certiorari, in the manner provided in section 1254 of title 28 of the United States Code.

"(b) POWERS.—Upon such review, such courts shall have only the power to affirm the decision of the Tax Court or to reverse such decision on questions of law and remand the case for such further action as justice may require, except that such court shall not reverse and remand the case for error of law which is immaterial to the decision of the Tax Court.

"(c) VENUE OF APPEALS FROM TAX COURT DECISIONS IN RENEGOTIATION CASES.—A decision of the Tax Court of the United States under section 108 of this Act may, to the extent subject to review, be reviewed by—

"(1) the United States Court of Appeals for the circuit in which is located the office to which the contractor or subcontractor made his Federal income tax return for the taxable year which corresponds to the fiscal year with respect to which such decision of the Tax Court was made, or if no such return was made for such taxable year, then by the United States Court of Appeals for the District of Columbia, or

"any United States Court of Appeals designated by the Attorney General and the contractor or subcontractor by stipulation in writing."

"(b) The second sentence of section 108 of such Act is amended to read as follows: 'Upon such filing, such court shall have exclusive jurisdiction, by order, to determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor, and such determination shall not be reviewed or redetermined by any court or agency except as provided in section 108A.'

"(c) Section 105(b)(2) of such Act is amended by striking out the last sentence thereof.

"(d) The amendments made by this section shall apply only with respect to cases in which the petition for redetermination is filed with the Tax Court of the United States after the date of the enactment of this Act."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BAKER. Mr. Speaker, reserving the right to object, I ask unanimous consent that the gentleman from Illinois [Mr. MASON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MASON. Mr. Speaker, the bill as it passed the House would extend the Renegotiation Act for a period of 2 years, until June 30, 1964. The amendment as offered by the Senate would allow for appellate review of Tax Court decisions on renegotiation cases. Lack of appellate review has come under sharp criticism by many within the past few years. The chairman has ably explained this change, and I concur with him in his support of it.

Mr. BAKER. Mr. Speaker, further reserving the right to object, a similar amendment was offered in the Committee on Ways and Means and was fully considered.

Mr. Speaker, I favor the amendment adopted by the other body and favor concurrence therein.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BAKER. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, I had informed the Members of the House that I would explain this amendment.

The House passed some weeks ago this bill continuing the Renegotiation Act for 2 additional years. It was the feeling on the part of the chairman of the committee, at least, and I think shared by some members of the committee, that it would be well for this matter to pass without amendment, particularly in view of the fact that the staff of the Joint Committee on Internal Revenue Taxation had recommended a 2-year extension of the program without amendments.

Mr. Speaker, the Senate Finance Committee, when the bill reached it, added three amendments in that committee. When the matter was considered on the floor of the Senate on yesterday, two of the amendments adopted in the Finance Committee were defeated by the action of the Senate. However, one amendment remained in the bill. This amendment has to do with the review of Tax Court decisions in renegotiation cases.

Mr. Speaker, this legislation's existing authority expires midnight tonight. If the legislation is to be continued without interruption, it will have to be enacted today by the House. Even though we were in this situation, I would not, Mr. Speaker, call this amendment up for approval of my colleagues until I had had an opportunity to discuss it with the Chairman of the Renegotiation Board and until discussions could be had with the Deputy Attorney General. Both the Chairman of the Renegotiation Board and the Deputy Attorney General have reported to us that although they shared my own individual view, that it would be better for this legislation to be extended for 2 years without amendment, that this amendment is workable, though they would have preferred not to have it. It does not impose any unreasonable burdens upon anyone.

The Senate amendment is intended to permit Tax Court decisions in renegotiation cases to be reviewed by the appellate courts in the same manner and to the same extent as its decisions in tax cases—subject, however, to certain important limitations which I will mention shortly. Thus, the Senate amendment provides that Tax Court decisions in renegotiation cases may be reviewed by the U.S. courts of appeals—and by the Supreme Court of the United States upon certiorari—in the same manner and to the same extent as decisions of the district court in civil actions tried without a jury, which is the same scope of review as in tax cases. Under this provision, the appellate courts will be permitted to review Tax Court decisions in renegotiation cases insofar as they involve legal questions, such as whether contract receipts or accruals are exempt from or are subject to the act, whether an expenditure will be allowed as a cost for renegotiation purposes, and on other legal questions involving interpretations and application of the provisions of the Renegotiation Act.

Under the Senate amendment, however, appellate review of Tax Court decisions in renegotiation cases will be subject to certain important limitations. The first limitation is that the question of the existence of excessive profits, or

the extent thereof, may not in any case be reviewed by the appellate courts. Another limitation is that findings of fact by the Tax Court are to be conclusive unless they are arbitrary or capricious. Moreover, the powers of the appellate court are limited to affirming the decisions of the Tax Court or to reversing them on questions of law and remanding such cases to the Tax Court. These limitations are all designed to prevent the appellate courts from substituting their judgment for that of the Tax Court on the questions of the existence or extent of excessive profits.

The Senate amendment is prospective in effect only, and will not apply to any case which is now in the Tax Court. It will apply only to cases in which a decision of the Tax Court is rendered after the date of its enactment, and then only if such case is one in which the petition for redetermination is filed with the Tax Court after the date of enactment. This amendment is prospective only in effect, and will apply only to cases decided some time after its enactment. There will be further opportunity for congressional review of its provision should any question arise that would make such review necessary. No inference is to be drawn as to pending cases due to the enactment of this provision.

Mr. Speaker, in view of the fact that this legislation, I think, should be at the President's desk by midnight I am suggesting to my colleagues that we adopt this amendment rather than delay its enactment by following the procedure of going to conference.

Mr. BAKER. Mr. Speaker, the situation has been ably and fully discussed by the chairman of the committee. I concur completely. I think it is a good amendment.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BAKER. I yield to the gentleman from Iowa.

Mr. GROSS. Apropos the remark of the gentleman that the legislation needs to be passed by midnight, it occurs to me we might very well have spent some time today considering the second supplemental appropriation bill, that we ought to have had this second supplemental appropriation bill before us today, because it is my understanding that in view of the widely traveled Presidential family the expenses have mounted and the Secret Service may not be paid as of after midnight. I should regret very much either to circumscribe the travels of the President's family or to see the Secret Service go unpaid.

Mr. MILLS. Mr. Speaker, I share the gentleman's concern in that regard.

Mr. GROSS. I thank the gentleman. I knew he would.

Mr. MILLS. I am sure the gentleman recognizes that I am not responsible for any delay in that matter but that I am only trying to prevent another such delay here in a matter under the jurisdiction of the Committee on Ways and Means.

Mr. GROSS. Of course, the gentleman, I am sure, would not want to see the Secret Service go unpaid by virtue of



Public Law 87-521
87th Congress, S. 3062
July 3, 1962

An Act

76 STAT. 135.

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 107(a) (3) of the Soil Bank Act is amended by changing the period at the end thereof to a comma and adding the following: "and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster."

Soil Bank Act,
amendment.
70 Stat. 191;
75 Stat. 129.
7 USC 1831.

Approved July 3, 1962.

